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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON AT SEATTLE

8 ROBERT LOWINGER, Individually and On  
9 Behalf of All Others Similarly Situated,

10 Plaintiff,

11 v.

12 FUNKO, INC; BRIAN MARIOTTI; RUSSELL  
13 NICKEL; KEN BROTMAN; GINO  
14 DELLOMO; CHARLES DENSON; DIANE  
15 IRVINE; ADAM KRIGER; RICHARD  
16 MCNALLY; GOLDMAN, SACHS & CO.; J.P.  
17 MORGAN SECURITIES LLC; MERRILL  
18 LYNCH, PIERCE, FENNER & SMITH  
19 INCORPORATED; PIPER JAFFRAY & CO.;  
20 JEFFERIES LLC; STIFFEL, NICOLAUS &  
21 COMPANY, INCORPORATED; BMO  
CAPITAL MARKETS CORP.; SUNTRUST  
ROBINSON HUMPHREY, INC.; and JOHN  
DOES 1 THROUGH 25,

Defendants.

NO. 2:18-cv-00201-RSM

**STIPULATION AND ORDER RE:  
BRIEFING SCHEDULE ON (1)  
PLAINTIFF'S MOTION TO  
REMAND AND (2) FUNKO  
DEFENDANTS' MOTION TO STAY  
PROCEEDINGS PENDING  
DECISION BY U.S. SUPREME  
COURT**

22 **I. STIPULATION**

23 Plaintiff Robert Lowinger ("Plaintiff") and Defendants Funko, Inc. ("Funko"), Brian  
24 Mariotti, Russell Nickel, Ken Brotman, Gino Dellomo, Charles Denson, Diane Irvine, Adam  
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27 STIPULATION AND ORDER RE: BRIEFING SCHEDULE  
ON (1) PLAINTIFF'S MOTION TO REMAND AND (2)  
FUNKO DEFENDANTS' MOTION TO STAY  
PROCEEDINGS PENDING DECISION BY U.S. SUPREME  
COURT - 1  
(No. 2:18-cv-00201-RSM)

SAVITT BRUCE & WILLEY LLP  
1425 Fourth Avenue Suite 800  
Seattle, Washington 98101-2272  
(206) 749-0500

1 Kriger, and Richard McNally (collectively, the “Funko Defendants”), by and through their  
2 undersigned counsel of record, hereby stipulate and agree as follows:

3 1. On February 27, 2018, Plaintiff filed a Motion for Remand, with a Note on  
4 Motion Calendar date of April 13, 2018 (the “Motion for Remand”).

5 2. On February 27, 2018, the Funko Defendants filed a Motion to Stay Proceedings  
6 Pending Decision by U.S. Supreme Court, with a Note on Motion Calendar date of April 13,  
7 2018.

8 3. Plaintiff and the Funko Defendants stipulate to the following schedule for the  
9 remaining briefing on the (1) Motion for Remand and (2) Motion to Stay:

10 (a) Plaintiff’s brief in opposition to the Motion to Stay, together with any  
11 supporting material, and Funko Defendants’ brief in opposition to the Motion for Remand,  
12 together with any supporting material, shall be filed and served no later than **March 30, 2018**;  
13 and

14 (b) Plaintiff’s brief in reply in support of the Motion for Remand, together with any  
15 supporting material, and Funko Defendants’ brief in reply in support of the Motion to Stay,  
16 together with any supporting material, shall be filed and served no later than **April 9, 2018**

17 SO STIPULATED AND AGREED this 28<sup>th</sup> day of February, 2018.

18  
19 **KELLER ROHRBACK L.L.P.**

20 By /s/ Juli E. Farris [email authorization]  
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Benjamin Naftalis, *pro hac vice*  
Kevin McDonough, *pro hac vice*

27 STIPULATION AND ORDER RE: BRIEFING SCHEDULE  
ON (1) PLAINTIFF’S MOTION TO REMAND AND (2)  
FUNKO DEFENDANTS’ MOTION TO STAY  
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*Attorneys for Defendants Funko, Inc.;  
Brian Mariotti; Russell Nickel; Ken  
Brotman; Gino Dellomo; Charles Denson;  
Diane Irvine; Adam Kriger; and  
Richard McNally*

**ORDER**

In accordance with the foregoing stipulation, it is so **ORDERED**.

DATED: March 1, 2018.



**RICARDO S. MARTINEZ**  
**CHIEF UNITED STATES DISTRICT JUDGE**